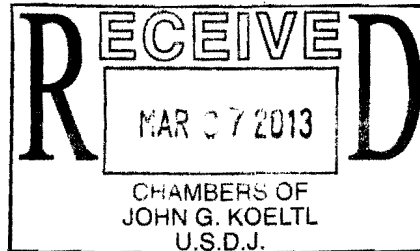


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March 7, 2013

BY FACSIMILE

Honorable John G. Koeltl
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Dish Network L.L.C. v. ESPN, Inc., et al., Case No. 09-CIV-6875 (JGK) (FM)

Dear Judge Koeltl:

We received the Judgment dated March 1, 2013, and write briefly pursuant to Fed. R. Civ. P. 60(a) and Fed. R. Civ. P. 59(e) to seek clarification and/or an amendment to the Judgment issued reflecting the claims in the Special Verdict form that the parties tried at trial and on which Defendants prevailed (i.e., the ESPN Classic/Comcast claim, the "a la carte" claim(s), and the Internet claim). See Robert Lewis Rosen Assoc., Ltd. v. Webb, 473 F.3d 498, 505 n. 1 (2d Cir. 2007) (Rule 60(a) permits corrections to judgments to reflect the intent of the Court); Szafran v. Sandata Technologies, Inc., 441 Fed.Appx. 59, 59 (2d Cir. 2011) (ordering amendment to judgment under Rule 60(a) to reflect "final judgment on all claims" brought by plaintiff, including claims that defendant prevailed on). The Judgment currently reflects only the amount that Plaintiff was awarded in connection with one claim that was tried (the ESPN Deportes claim). Defendants believe it is important to address all the claims at issue. A draft proposed Judgment is enclosed for your Honor's consideration that reflects the same.

We respectfully bring this issue to your Honor's attention in order to avoid unnecessary further motion practice under Rule 59(e) or Rule 60(a).

Respectfully Submitted,

David L. Yohai

cc: All Counsel (by e-mail)

*The plaintiff may respond
and submit any objections or
counter-amended judgment by
3⁰⁰ P.M. on 3/8/13.
So ordered.*

USDC SDNY
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DATE FILED: 3-7-13

3/7/13.

*Jrb/Koeltl
U.S.D.J.*